

EXHIBIT “B”

**LAW OFFICES OF
MITCHELL J. MALZBERG**

A Limited Liability Company
ATTORNEY AT LAW

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March 14, 2023

SECOND REQUEST

Via Certified and Ordinary Mail

Stephen Galoppo
Support of Excavation, LLC
273 New Road
Parsippany, NJ 07054

RE: **HOLLISTER CONSTRUCTION SERVICES, LLC**
Chapter 11, Case No. 19-27439/MBK

Dear Mr. Galoppo:

The undersigned serves as counsel to the Liquidating Trustee of the Hollister Construction Services Liquidating Trust, BAK Advisors, LLC, in the above-entitled matter. As you may or may not be aware, Hollister Construction Services filed for bankruptcy on September 11, 2019. A copy of the Notice of Commencement is annexed hereto for your information. It has come to the Liquidating Trustee's attention that Support Excavation, LLC filed a construction lien in the amount of \$38,611.68 against Hollister relating to the Latitude East Owner, LLC Project. The lien was filed on or about January 31, 2020. The construction lien was filed after the filing of the bankruptcy and, as such, the lien violates the bankruptcy automatic stay,. The Lien violates the automatic stay and was precluded from being filed and should be discharged. See, *In re Linear Elec. Co.*, 852 F.3d 313, 2017 U.S. App. LEXIS 5527, 77 Collier Bankr. Cas. 2d (MB) 965, 63 Bankr. Ct. Dec. 243, 2017 WL 1177465.

In addition, the lien is more than two years old and, as such, an action cannot be commenced under NJ Construction Lien law after such length of time and for this additional reason alone, same must be voluntarily discharged. I am writing this letter prior to filing a motion with the Bankruptcy Court seeking to void your lien, seek sanctions for the stay violation and for counsel fees, to give your company an opportunity to voluntarily discharge the lien. If said lien is not discharged within ten (10) days from today's date with a copy of same provided to my office, I will thereafter be left with no alternative but to file a motion with the court compelling the discharge of the lien, seeking sanctions for violating the automatic stay as well as counsel fees.

Should you or your counsel wish to discuss this matter further please do not hesitate to contact me.

Very truly yours,
/s/ Mitchell Malzberg
MITCHELL MALZBERG, ESQ.

MM/dl
Enclosures

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March 14, 2023

SECOND REQUEST

Via Certified and Ordinary Mail

Jason Farber
Support of Excavation, LLC
17412 Ventura Blvd.
Encino, CA 91436

RE: **HOLLISTER CONSTRUCTION SERVICES, LLC**
Chapter 11, Case No. 19-27439/MBK

Dear Mr. Farber:

The undersigned serves as counsel to the Liquidating Trustee of the Hollister Construction Services Liquidating Trust, BAK Advisors, LLC, in the above-entitled matter. As you may or may not be aware, Hollister Construction Services filed for bankruptcy on September 11, 2019. A copy of the Notice of Commencement is annexed hereto for your information. It has come to the Liquidating Trustee's attention that Support Excavation, LLC filed a construction lien in the amount of \$38,611.68 against Hollister relating to the Latitude East Owner, LLC Project. The lien was filed on or about January 31, 2020. The construction lien was filed after the filing of the bankruptcy and, as such, the lien violates the bankruptcy automatic stay,. The Lien violates the automatic stay and was precluded from being filed and should be discharged. See, In re Linear Elec. Co., 852 F.3d 313, 2017 U.S. App. LEXIS 5527, 77 Collier Bankr. Cas. 2d (MB) 965, 63 Bankr. Ct. Dec. 243, 2017 WL 1177465.

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